

**MONTANA DEPARTMENT OF MILITARY AFFAIRS
INFORMATION SHEET**

HOUSE BILL NO. 136

**A BILL GRANTING A DEATH BENEFIT PAYMENT TO BENEFICIARIES OF
MONTANA NATIONAL GUARDSMEN WHO ARE KILLED WHILE
PERFORMING STATE ACTIVE DUTY SERVICE.**

INTENT

HB 136 will create a \$12,000 death gratuity payment (exempt from state taxation) benefit that will be paid to a beneficiary in the event that a Montana National Guardsman is killed while performing State Active Duty ("SAD"). Currently, survivors of a Montana National Guardsman, who is killed while performing SAD, do not receive any type of traditional military death benefit (neither state nor federal) in recognition of the service member's military service to the state.

If a service member dies while performing federally funded military duty, pursuant to either Titles 10 or 32 of the United States Code, eligible beneficiaries are paid a \$100,000 cash death benefit. The intent of the death benefit is to help survivors during their period of readjustment and to aid them in meeting immediate expenses resulting from the service member's death (ex. family travel and funeral expenses).

CONCLUSION

HB 136 provides a \$12,000 state tax free death gratuity payment to a beneficiary of a Montana National Guardsman who is killed while performing State Active Duty Service. The intent of the death benefit is to help survivors during their period of readjustment and to aid them in meeting immediate expenses resulting from the service member's death (ex. family travel and funeral expenses).

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